

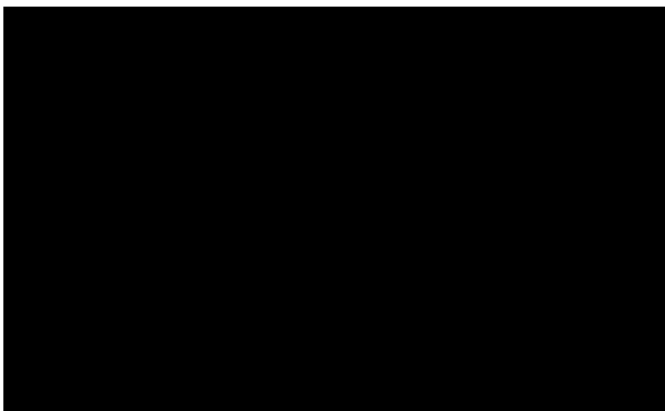


OFFICE OF THE DISTRICT ATTORNEY
RICHMOND COUNTY

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DISTRICT ATTORNEY

March 29, 2021



With reference to the above-mentioned case, and pursuant to our continuing obligations, the People make the following disclosure: today, during pre-hearing preparation, NYS Trooper Richard Caster indicated that during the time that he was employed by the New York City Police Department, he was named as a defendant or co-defendant in a federal civil lawsuit. He is aware both of the below cases were resolved. He also remembers being deposed as to both below matters.

As a result of the conversation with Trooper Caster, the People performed a simple name search of the Public Access to Court Electronic Records ["PACER"] website, and found the following cases which list "Richard Caster" and "City of New York" as civil defendants for the Second Circuit:

1. *Sefolosha v. P.O. Giacona et. al*, 16-CV-02564 (JMF) – settled in 2017 for an amount of \$4,000,000.00 in favor of the plaintiff, with a stipulation of settlement filed ending litigation in the Southern District of New York, without admission of fault and dismissed with prejudice.
2. *Antic v. City of New York et al*, 16-CV-02425 (JMF) – summary judgement granted in defendant's favor, ending litigation in 2017. Summary judgment affirmed by the United States Court of Appeals, Second Circuit in 2018.

Additionally, Trooper Caster indicated that in a coinciding Civilian Complaint Review Board investigation with *Sefolosha v. P.O. Giacona et. al*, an allegation of an improper arrest was substantiated by the Board. As a result, Trooper Caster was required to attend a retraining session at the police academy.

The People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use or introduction into evidence during trial.

Should you wish to discuss this matter, please do not hesitate to call me at (718) 556-4064 during office hours.

Sincerely,

Jacqueline Bruno
Assistant District Attorney

Cc: Clerk of the Court